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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,504	08/20/2003	Ryan E. Seick	IS01301TC	3849
22917	7590	03/08/2005	EXAMINER	
MOTOROLA, INC. 1303 EAST ALGONQUIN ROAD IL01/3RD SCHAUMBURG, IL 60196			RAMOS FELICIANO, ELISEO	
			ART UNIT	PAPER NUMBER
			2687	

DATE MAILED: 03/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/644,504

**Applicant(s)**

SEICK ET AL.

**Examiner**

Eliseo Ramos-Feliciano

**Art Unit**

2687

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/20/03; 9/29/03; 6/14/04</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Information Disclosure Statement*

1. The references listed in the Information Disclosure Statement filed on August 20, 2003, September 29, 2003, and June 14, 2004 have been considered by the examiner (see attached PTO-1449 form).

### *Claim Objections*

2. **Claim 4** is objected to because of the following informalities: line 2 reads “a vehicle”, should be --the vehicle--. Appropriate correction is required.

3. **Claim 16** is objected to because of the following informalities: line 5-6 reads “the wireless communication device”, should be --a wireless communication device--. Line 7 reads “a wireless communication device”, should be --the wireless communication device--. Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. **Claim 17** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. **Claim 17** recites the limitation " the microphone of the head unit " in line 4. There is insufficient antecedent basis for this limitation in the claim, since claim 16 only specifies that the head unit is “coupled” to a microphone (lines 10-11 of claim 16), not necessarily part of the head unit.

### *Claim Rejections - 35 USC § 103*

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7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claims 1-19** are rejected under 35 U.S.C. 103(a) as being unpatentable over Bork (US Patent Number 6,255,800) in view of McCarthy et al. (US Patent Number 6,693,517).

Regarding **claim 16**, Bork discloses an adapter system (fairly characterized as a “vehicular” adapter system because it can be plug into a cigarette lighter socket of a vehicle as explained below) having wireless local area network (WLAN / Bluetooth) capabilities, the adapter system including:

an adapter (46 – Figures 11-15) configured to plug into a cigarette lighter socket of a vehicle (column 2, lines 49-51), the adapter having a wireless local area network (WLAN / Bluetooth) module (44 – Figures 11-15) contained therein, the adapter is operable to power both (column 10, lines 27-30; also column 5, lines 35-50) the WLAN module and the wireless communication device (mobile phone 52 – Figures 11-15), the adapter being configured to electrically couple the WLAN module to a wireless communication device (Figure 15), the module operable to communicate audio signals from the wireless communication device to other WLAN-enabled devices (other Bluetooth radio 50 – Figures 11-15); and

a second WLAN module (inside 50), the second WLAN module operable to wirelessly communicate with the adapter WLAN module (via antenna 42 – Figure 14).

However, Bork fails to specifically disclose that the second WLAN module is embedded in a head unit of the vehicle, and that the head unit is coupled to at least one loudspeaker and a microphone as defined by applicant.

In the same field of endeavor, McCarthy et al. discloses a vehicular accessory for communicating a Bluetooth mobile phone to the audio system of the vehicle so as to enable a telephone communication to be conducted via the audio system of the vehicle for the advantage of a hands-free operation of the mobile phone (column 2, lines 23-35). Therefore, McCarthy et al. includes a second WLAN (Bluetooth) module embedded in a head unit of the vehicle, the head unit coupled to at least one loudspeaker (“audio transducer”) (of the vehicle’s audio system) and a microphone (“microphone in the vehicle”) (of the in-vehicle voice detection / recognition system – column 10, line 20; column 8, lines 59-60; column 9, lines 10-13) as claimed.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to make the second WLAN module to be embedded in a head unit of the vehicle, the head unit coupled to at least one loudspeaker and a microphone as claimed, for the advantage of a hands-free operation of the mobile phone, as suggested by McCarthy et al.

Regarding **claim 17**, Bork and McCarthy et al. disclose everything claimed as applied above (see *claim 16*). In addition, the combination disclose that the WLAN modules are operable to transfer audio signals from the wireless communication device to the adapter WLAN module to the second WLAN module of the head unit to at least one loudspeaker and audio signals from the microphone of the head unit to the second WLAN module to the adapter WLAN module to the wireless communication device (see

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explanation for claim 16; especially column 2, lines 23-35, and column 9, lines 10-13 of McCarthy et al.).

Regarding **claim 18**, Bork and McCarthy et al. disclose everything claimed as applied above (see *claim 16*). In addition, Bork and McCarthy et al. disclose that the WLAN modules are operable under a Bluetooth transceiver protocol (see e.g. Figure 11 of Bork).

Regarding **claim 19**, Bork and McCarthy et al. disclose everything claimed as applied above (see *claim 16*). In addition, McCarthy et al. discloses that the WLAN modules are operable to transmit data between the wireless communication device and the head unit (column 8, line 14).

As to **claims 1-15**, they are rejected for the same reasons *claims 16-19* are rejected, since they are obvious variations of these.


### ***Conclusion***

9. Any inquiry concerning this communication from the examiner should be directed to Eliseo Ramos-Feliciano whose telephone number is 703-305-0078. The examiner can normally be reached from 8:00 a.m. to 5:30 p.m. on 5-4/9 1st Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G. Kincaid, can be reached on (703) 306-3016. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ERF/erf  
March 3, 2005

  
**ELISEO RAMOS-FELICIANO**  
**PATENT EXAMINER** 3/3/05